

AN ORDINANCE

97737

GRANTING A LICENSE AGREEMENT TO LAREDO JM, LTD. TO USE AND MAINTAIN ONLY FOR THE PURPOSE OF LANDSCAPING AN IRREGULAR PORTION OF OLD THOUSAND OAKS DRIVE PUBLIC RIGHT OF WAY LOCATED APPROXIMATELY 850 FEET SOUTHEAST OF JONES MALTSBERGER ROAD, IN NCB 13732, FOR A TEN (10) YEAR TERM AND THE TOTAL CONSIDERATION OF \$5,000.00.

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WHEREAS, Laredo JM, Ltd., a Texas Limited Partnership, as Petitioner, has requested that the City grant it a license to use and maintain an irregular portion of Old Thousand Oaks Drive Public Right of Way located 850 feet southeast of Jones Maltsberger Road, in NCB 13732, only for landscaping purposes to aesthetically improve said property, which abuts Petitioner's property being planned for commercial development; and

WHEREAS, Petitioner's request has been circulated through all interested City departments and utility agencies involved and Petitioner has agreed to the conditions imposed by the Department of Asset Management, through a letter agreement; and

WHEREAS, the City is agreeable to granting Petitioner a ten (10) year License Agreement for the total consideration of \$5,000.00; and

WHEREAS, the Planning Commission recommended approval of this request at its regular meeting on May 28, 2003; and

WHEREAS, the action is consistent with the City Code and Ordinances which require City Council approval for any private use of property owned or controlled by the City; **NOW THEREFORE**;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. A License Agreement is hereby granted to Laredo JM, Ltd., a Texas Limited Partnership, as Licensee, for the use and maintenance of an irregular portion of Old Thousand Oaks Drive Public Right of Way located 850 feet southeast of Jones Maltsberger Road, in NCB 13732, only for landscaping purposes, which portion is more particularly described in the License Agreement, for a License Fee consideration of \$5,000.00.

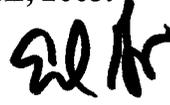
SECTION 2. Upon receipt of the License Fee and confirmation that Laredo JM., Ltd. has complied with the conditions imposed by the City as set forth in a Letter of Agreement, a copy of which is affixed to the License Agreement as Exhibit "C", the City Manager or her designee is authorized to execute said License Agreement, as well as, a Memorandum of License Agreement, copies of which, executed on behalf of Laredo JM., Ltd., are affixed hereto as Attachment I and incorporated herein verbatim for all purposes.

SECTION 3. The Proceeds of the Agreement shall be deposited into Fund No. 11-000 entitled "General Fund", Index Code No. 012732, entitled "License Agreements - Use of Right of Way".

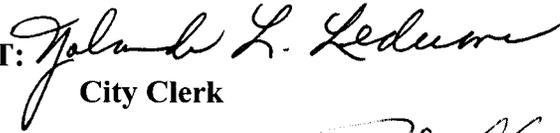
SECTION 4. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific index codes and fund numbers as necessary to carry out the purpose of this Ordinance.

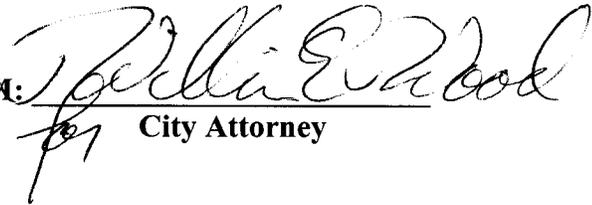
SECTION 5. This Ordinance will be effective on June 15, 2003.

PASSED AND APPROVED ON THIS 5th DAY OF JUNE, 2003.



**M A Y O R
EDWARD D. GARZA**

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney